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In Memoriam: Professor A.N. Yiannopoulos

Elizabeth R. Carter*

This issue of the *Louisiana Law Review* is dedicated to the life and legacy of A.N. “Thanassi” Yiannopoulos¹—who spent the first part of his teaching career here at LSU.² Professor Yiannopoulos accepted an offer to become a tenured member of the LSU law faculty in 1958. He later confessed that he accepted the position “under the mistaken assumption that LSU was located, if not in New Orleans, at least in a suburb of the historical city.”³ Louisiana and LSU will be forever indebted to Professor Yiannopoulos’s mistake. I am honored to introduce this issue of the *Louisiana Law Review* and celebrate the life of my mentor, Professor Yiannopoulos.

By the time we finish law school, most of us have been in school for 20 years or more and have had dozens of excellent teachers. If you are truly fortunate, however, you also will have a teacher to whom you can point and say: “That is the one.” The “one” is that teacher who helped to set you on the path you were meant to be on all along. The “one” is that teacher who motivated you to accomplish things you never dreamed possible. For me, Professor Yiannopoulos was the “one.”

I began law school at Tulane in 2004—towards the end of Professor Yiannopoulos’s teaching career. I confess that, like Professor Yiannopoulos, I was a bit confused when I decided to move to New Orleans from Memphis. I did not know much about the law or Louisiana. I did not know that Louisiana had a different legal system than the other 49 states. Yet civil law peaked my interest. I met Professor Yiannopoulos in the fall of my 2L year when I enrolled in his Civil Law Property II course. The semester did not go as planned—Hurricane Katrina hit shortly after that first week of class and Tulane was closed for the semester. I eventually took two courses with Professor Yiannopoulos, and I spent a good deal of time with him outside of class. I was incredibly fortunate that Professor Yiannopoulos took me under his wing—supervising my paper

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1. As his students, we often referred to him as “Yippy.” See Jeanne Louise Carriere, *From Status to Person in Book I, Title 1 of the Civil Code*, 73 TUL. L. REV. 1263, 1264 (1999).

2. At Tulane, he affectionately referred to LSU as “the school up the river.”

3. Tyler G. Storms, *Interview with Professor A.N. Yiannopoulos: Louisiana’s Most Influential Jurist in Our Time*, 64 LA. B.J. 24 (2016).

for the *Tulane Law Review*,⁴ inviting me to serve as his research assistant, and generally taking an interest in me and in my career.

And yet, my experience was not at all unique. In 1999—the year I graduated high school—Professor Yiannopoulos celebrated his 40th year teaching in Louisiana, and he estimated that he had already taught 10,000 students.⁵ Throughout his career, Professor Yiannopoulos took an interest in his students and had a way of making everyone he met feel special. He had a hand in the careers of countless attorneys, professors, and judges.⁶ As several of Professor Yiannopoulos's former students have mentioned elsewhere,⁷ he had the habit of referring to the students he called on in class as “the great” followed by their surname—all in his thick Greek accent. And he meant it when he said it. He truly believed in the intelligence of his students, and he was not hesitant to push us to work harder, challenge convention, and believe in ourselves.

When I applied for a faculty position at LSU, I asked Professor Yiannopoulos if I could include him as a reference. In typical Yiannopoulos fashion, his response was enthusiastic. He said he would call the school on my behalf and wrote, “You might know that there is an A.N. Yiannopoulos Endowed Professorship at LSU that . . . is waiting to be filled.”⁸ He then emailed me from Greece the night before my full-day interview, telling me, “Be confident that LSU needs you and will be lucky to get you.”⁹ I laughed with absolute incredulity at his enthusiasm. Now, nearly a decade later, I still look back at these emails and I wonder if he knew just how much his support meant to me. I am honored to now hold the A.N. Yiannopoulos Endowed Professorship at LSU.

If you do not know already, you must understand what a living legend Professor Yiannopoulos was. Not only was he prolific in his writing and scholarship—he was, and still is, incredibly influential. I estimate that he has been cited in about 700 cases in the United States—including citation

4. Elizabeth R. Carter, Comment, *Ghosts of the Past and Hopes for the Future: Article 466 and Societal Expectations*, 81 TUL. L. REV. 1665 (2007).

5. See James L. Dennis, *Athanassios Yiannopoulos: Saluting a Remarkable Career in Progress*, 73 TUL. L. REV. 1021, 1021 (1999).

6. See, e.g., Jeanne Louise Carriere, *From Status to Person in Book I, Title I of the Civil Code*, 73 TUL. L. REV. 1263, 1263–65 (1999); John W. deGravelles, *A Tribute to Professor Athanassios Nicholas Yiannopoulos*, 41 TUL. MAR. L.J. i, i–ii (2017); Harold K. Watson, *Tribute to Professor Athanassios Nicholas “Thanassi” Yiannopoulos*, 41 TUL. MAR. L.J. v, vi (2017).

7. See deGravelles, *supra* note 6, at i; Watson, *supra* note 6, at v.

8. Email on file with author (Sept. 18, 2009).

9. Email on file with author (Oct. 25, 2009).

by the United States Supreme Court.¹⁰ He is cited in countless law review and journal articles, books, briefs, and legal pleadings. Numerous law review issues and articles have been written in his honor—including those that appear here. Professor Yiannopoulos served as the Reporter for revisions for many portions of our Civil Code—including those on property and servitudes. When you took his Property II class you took a class with the man who quite literally wrote the law—a privilege and an experience you will not have at most law schools. He also served as the editor of West's editions of the Civil Code—required reading for Louisiana law students and lawyers. In short, Professor Yiannopoulos was so impressive that in 1999, the *Tulane Law Review* published an article that consisted of nothing more than his curriculum vitae.¹¹ He even has a Wikipedia page.¹²

Professor Yiannopoulos's love of language, respect for the civil law, and penchant for debate is evident in nearly everything he wrote. He viewed the Civil Code as a work of art, a thing of beauty. He often exclaimed in class, "The civil law is a beautiful thing!" He was passionate about not just the content of the law but the artistry and organization of its presentation as well.

My favorite example of this passion can be found in Article 890 of the West edition of the Civil Code. This was one of Professor Yiannopoulos's favorite topics to discuss in his Civil Law Seminar and elsewhere.¹³ My own students have enjoyed this example as well—though I fear some quality is lost when they do not hear the story directly from the source.

As revised in 1996, Civil Code article 890 reads, "If the deceased spouse is survived by descendants, the surviving spouse shall have a usufruct over the decedent's share of the community property to the extent that the decedent has not disposed of it by testament. This usufruct terminates when the surviving spouse dies or remarries, *whichever occurs first*."¹⁴ The substance of this law was not terribly controversial. The rule

10. See *United States v. Little Lake Misere Land Co.*, 412 U.S. 580, 582 n.2 (1973). Dean Sherman made a similar type of calculation in 1999. See Edward Sherman, *Introduction: A Tribute to Professor Athanassios Yiannopoulos*, 73 TUL. L. REV. 1017, 1018 (1999).

11. *Professor Yiannopolous' Curriculum Vitae*, 73 TUL. L. REV. 1033 (1999).

12. See A.N. Yiannopoulos, WIKIPEDIA, https://en.wikipedia.org/wiki/A._N._Yiannopoulos (last visited Mar. 26, 2018) [<https://perma.cc/Q838-2NBW>].

13. Oral History Project, *Professor A.N. Yiannopoulos* [sic], LA. BAR FOUND. (Mar. 23, 2017), <http://www.raisingthebar.org/baton-rouge/item/104-professor-a-n-yiannopoulos-baton-rouge> [<https://perma.cc/3656-7NXD>]. The Bar Foundation misspelled Professor Yiannopoulos's name.

14. LA. CIV. CODE ANN. art. 890 (2018) (emphasis added).

set forth is straightforward and has long been the rule in Louisiana.¹⁵ Rather, Professor Yiannopoulos objected to the phrasing of the law in the 1996 provision. In particular, he believed that the phrase “whichever occurs first” was unnecessary and not in keeping with the overall linguistic artistry of the Civil Code.¹⁶ In his West edition of the Civil Code, Professor Yiannopoulos memorialized his criticism in his Editor’s note, which he delighted in showing his students. It provides, in pertinent part, as follows: “It is hardly likely that a usufructuary may die and then remarry. Cf. Mark 12:25: ‘For when they shall rise from the dead, they neither marry nor are given in marriage; but are as the angels which are in heaven.’” This witty observation probably did not go over well with some members of the Louisiana State Law Institute committee responsible for the revision, but ruffled feathers did not deter Professor Yiannopoulos when he felt strongly about something.

What makes Professor Yiannopoulos’s success and influence even more remarkable is that he was, in many ways, an outsider. In a state where many prominent lawyers and jurists come from storied family lineages and where conformity is expected, Professor Yiannopoulos stood out. He quite obviously was not from Louisiana, yet he eventually became the authoritative source on so many areas of Louisiana law. He lived and worked in a state where speaking out, defying convention, and engaging in public debate is rarely encouraged or accepted—especially when you are an outsider. Yet he routinely spoke out about what he believed in—whether it was the law, the legislature, or his fundamental right to speak out and to be heard.¹⁷ I often think about him when I do the same thing. Because of Professor Yiannopoulos, I know that I have a duty to speak out and a right to be heard. His example taught me to have a thick skin and a good sense of humor. I hope that my own students will learn to do the same things.

Professor Yiannopoulos, on behalf of your former students, colleagues, and the State of Louisiana, thank you.

15. See generally A.N. Yiannopoulos, *Of Legal Usufruct, the Surviving Spouse, and Article 890 of the Louisiana Civil Code: Heyday for Estate Planning*, 49 LA. L. REV. 803 (1989); see also Kathryn Venturatos Lorio, SUCCESSIONS AND DONATIONS § 2:16, in 10 LOUISIANA CIVIL LAW TREATISE (2018).

16. See Oral History Project, *supra* note 13.

17. E.g., A.N. Yiannopoulos, *Of Immovables, Component Parts, Societal Expectations, and the Forehead of Zeus*, 60 LA. L. REV. 1379, 1379 n.1, 1396–98 (2000); Greg Garland, *Proposal Ignites Disagreement at Law Institute*, ADVOCATE, Oct. 27, 1996, at 1-a; *State Civil Code a Disaster, Expert Says*, TIMES PICAYUNE, Nov. 11, 1979, at 1-16.